

ORDINANCE NO. O-2014-023-15

AN ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS AMENDING CHAPTER 14, BUILDINGS, STRUCTURES AND APPURTENANCES, ARTICLE III, ELECTRICITY, SECTIONS 14-86(a) AND (b) OF THE HALTOM CITY CODE TO ADOPT THE 2011 EDITION OF THE NATIONAL ELECTRICAL CODE, AND LOCAL AMENDMENTS TO THE 2011 EDITION OF THE NATIONAL ELECTRICAL CODE; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODE AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council desires to adopt a nationally-recognized Electrical Code containing standards regulating fuel and gas; and

WHEREAS, the City Council has reviewed the available codes and has determined that the 2011 Edition of the National Electrical Code most fully meets the needs of the City of Haltom City, Texas; and

WHEREAS, the City Council of the City of Haltom City, Texas, desires to provide a mechanism by which local modifications reflecting the unique needs of the City of Haltom City may be made when deemed appropriate; and

WHEREAS, the North Central Texas Council of Governments and City Staff have recommended adoption of certain amendments to the 2011 Edition of the National Electrical Code to reflect locally accepted practice; and

WHEREAS, the City Council of the City of Haltom City, Texas, has determined that these local amendments are in the public interest and therefore deems it advisable to amend the 2011 Edition of the National Electrical Code to incorporate these local amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS:

SECTION 1.

Sections 14-86(a) and (b) of the Code of Ordinances of the City of Haltom City, Texas, are hereby amended to read as follows:

"Sec.4-86. – National Electrical Code adopted.

- (a) *Adopted.* The 2011 National Electrical Code is hereby adopted as the official electrical code of the City of Haltom City, Texas. This electrical code is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in the National Electrical Code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary.
- (b) *Amendments.* The 2011 National Electrical Code, as adopted herein, is hereby amended as shown on Exhibit "A" attached hereto. The material contained in Exhibit "A" to this ordinance, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record in the office of the City Secretary."

SECTION 2.

The City of Haltom City may from time to time determine that additional local modifications to the codes adopted herein are necessary and appropriate to meet the unique building needs of the City of Haltom City. To effectuate modifications, the city council may enact individual ordinances amending this ordinance fully setting forth the change to be made in the specific code. Such subsequent amendments shall be consolidated as an exhibit to this ordinance, and shall be maintained as a public record in the office of the city secretary.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been

enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of the ordinances of the City of Haltom City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

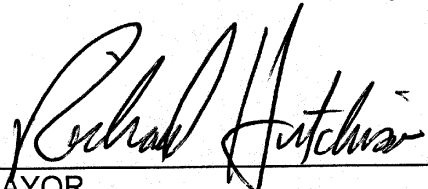
The City Secretary of the City of Haltom City is hereby directed to publish in the official newspaper of the City of Haltom City, the caption, penalty clause, publication clause and effective date clause of this ordinance one (1) time within ten (10) days after the first reading of this ordinance as required by Section 10.01 of the Charter of the City of Haltom City.

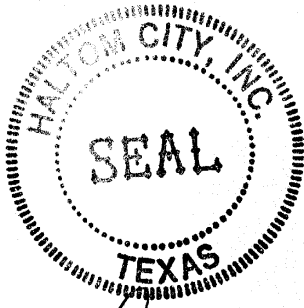
SECTION 8.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF Sept., 2014.

PASSED AND APPROVED ON SECOND READING THIS 22nd DAY OF SEPTEMBER, 2014.


MAYOR



ATTEST:

Art Lammelo
CITY SECRETARY

EFFECTIVE: *September 22, 2014*

APPROVED AS TO FORM AND LEGALITY:

Wkoe
CITY ATTORNEY

**EXHIBIT A
LOCAL AMENDMENTS OF
THE CITY OF HALTOM CITY, TEXAS
TO 2011 NATIONAL ELECTRICAL CODE**

**Recommended Amendments to the
2011 National Electrical Code**
North Central Texas Council of Governments Region

The following articles, paragraphs, and sentences of the *2011 National Electrical Code (NEC)* are hereby amended as follows: Standard type is text from the NEC. Underlined type is text inserted. ~~Lined through type is deleted text from NEC.~~ A double asterisk (**) at the beginning of an article identifies an amendment carried over from the 2008 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2011 code.

*****Article 100, Part I; amend the following definition:**

Intersystem Bonding Termination. A device that provides a means for connecting bonding conductors for communication systems and other systems such as metallic gas piping systems to the grounding electrode system.

(REASON FOR CHANGE: To allow for a termination point for other bonding conductors in addition to communication systems that are required by the various model codes.)

*****Article 110.2; change the following to read as follows:**

110.2 Approval. The conductors and equipment required or permitted by this Code shall be acceptable only if approved. Approval of equipment may be evident by listing and labeling of equipment by a Nationally Recognized Testing Lab (NRTL) with a certification mark of that laboratory or a qualified third party inspection agency approved by the AHJ.

Exception: Unlisted equipment that is relocated to another location within a jurisdiction or is field modified is subject to the approval by the AHJ. This approval may be by a field evaluation by a NRTL or qualified third party inspection agency approved by the AHJ.

Manufacturer's self-certification of any equipment shall not be used as a basis for approval by the AHJ.

Informational Note: See 90.7, Examination of Equipment for Safety, and 110.3, Examination, Identification, Installation, and Use of Equipment. See definitions of *Approved, Identified, Labeled, and Listed*.

(REASON FOR CHANGE: To add clarity and provide more positive options for enforcement and approval of unlisted equipment.)

****Article 230.71(A); add the following exception:**

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

(REASON FOR CHANGE: This is currently the accepted installation practice of the region. No noteworthy complaints have surfaced. It is more reasonable than the current NEC requirements. It allows more than six disconnects grouped at one location. This also allows designers more flexibility in the placement of electrical meters and main service disconnects.)

*****Article 240.91; delete the Article.**

(REASON FOR CHANGE: Present day equipment is not listed and has not been evaluated for the use. Removing this article may prevent both installers and AHJ's from misapplying the Code.)

****Article 300.11; add the following exception:**

Exception: Ceiling grid support wires may be used for structural supports when the associated wiring is located in that area, not more than two raceways or cables supported per wire, with a maximum nominal metric designation 16 (trade size 1/2").

(REASON FOR CHANGE: To provide limited support of raceways and cables by ceiling grid support wire.)

****Article 310.15(B)(7); change to read as follows:**

(7) 120/240-Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. For dwelling units, conductors, as listed in Table 310.15(B)(7), shall be...{text unchanged}...provided the requirements of 215.2, 220.61, and 230.42 are met. This Article shall not be used in conjunction with 220.82.

(REASON FOR CHANGE: To provide a more reasonable margin of safety for dwelling service and feeder conductor allowable ampacities.)

****Article 500.8(A)(3); change to read as follows:**

500.8 Equipment. Articles 500 through 504 require equipment construction and installation standards that ensure safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to installation and maintenance.

Informational Note No. 2: Since there is no consistent relationship between explosion properties and ignition temperature, the two are independent requirements.

Informational Note No. 3: Low ambient conditions require special consideration. Explosion proof or dust-ignition proof equipment may not be suitable for use at temperatures lower than -25°C (-13°F) unless they are identified for low-temperature service. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified as Class I, Division 1 at normal ambient temperature.

(A) Suitability. Suitability of identified equipment shall be determined by one of the following:

- (1) Equipment listing or labeling
- (2) Evidence of equipment evaluation from a qualified testing laboratory or inspection agency concerned with product evaluation
- (3) Evidence acceptable to the authority having jurisdiction such as a manufacturer's self-evaluation or an owner's engineering judgment signed and sealed by a qualified Licensed Professional Engineer.

Informational Note: Additional documentation for equipment may include certificates demonstrating compliance with applicable equipment standards, indicating special conditions of use, and other pertinent information. Guidelines for certificates may be found in ANSI/ISA 12.00.02, *Certificate Standard for AEx Equipment for Hazardous (Classified) Locations.*

(REASON FOR CHANGE: To better define the qualifications for an engineering judgment.)

****Article 505.7(A) changed to read as follows:**

505.7 Special Precaution. Article 505 requires equipment construction and installation that ensures safe performance under conditions of proper use and maintenance.

Informational Note No. 1: It is important that inspection authorities and users exercise more than ordinary care with regard to the installation and maintenance of electrical equipment in hazardous (classified) locations.

Informational Note No. 2: Low ambient conditions require special consideration. Electrical equipment depending on the protection techniques described by 505.8(A) may not be suitable for use at temperatures lower than -20°C (-4°F) unless they are identified for use at lower temperatures. However, at low ambient temperatures, flammable concentrations of vapors may not exist in a location classified Class I, Zones 0, 1, or 2 at normal ambient temperature.

(A) Implementation of Zone Classification System. Classification of areas, engineering and design, selection of equipment and wiring methods, installation, and inspection shall be performed by a qualified persons Licensed Professional Engineer.

(REASON FOR CHANGE: To better identify who is qualified to implement Zone Classification Systems.)

***Article 680.25(A) changed to read as follows:

680.25 Feeders. These provisions shall apply to any feeder on the supply side of panelboards supplying branch circuits for pool equipment covered in Part II of this article and on the load side of the service equipment or the source of a separately derived system.

(A) Wiring Methods.

(1) Feeders. Feeders shall be installed in rigid metal conduit or intermediate metal conduit. The following wiring methods shall be permitted if not subject to physical damage:

- (1) Liquidtight flexible nonmetallic conduit
- (2) Rigid polyvinyl chloride conduit
- (3) Reinforced thermosetting resin conduit
- (4) Electrical metallic tubing where installed on or within a building
- (5) Electrical nonmetallic tubing where installed within a building
- (6) Type MC cable where installed within a building and if not subject to corrosive environment
- (7) Nonmetallic-sheathed cable
- (8) Type SE cable

Exception: An existing feeder between an existing remote panelboard and service equipment shall be permitted to run in flexible metal conduit or an approved cable assembly that includes an equipment grounding conductor within its outer sheath. The equipment grounding conductor shall comply with 250.24(A)(5).

(REASON FOR CHANGE: To allow for more flexibility of wiring methods associated with this type of installation.)

END